

REMARKS

Claim 11 is pending in the application. Claims 1-10, and 12-20 are canceled herein without prejudice. The specification has been amended to recite reference to SEQ ID NOS 11 and 12. Claim 11 has been amended. It is believed that no new matter is added by this amendment.

Objection

The specification is objected to under 37 C.F.R 1.821 for the recitation of "CYGG" on page 28, line 27 and page 29, line 9 and the recitation of "LXXC" on page 49, line 29 and page 51, line 18. In particular, the Examiner asserts that the identified sequences must be identified by a SEQ ID Number in the specification as set forth in 37 C.F.R. 1.821(a)(1) and (a)(2). Applicants have amended the specification to include identification of the amino acid sequences by a SEQ ID number. Applicants believe this objection has been overcome and respectfully request its withdrawal.

Objection

Claim 11 is objected to for being dependent from a rejected claim. Applicants have amended claim 11 to be written in independent form. Support for this amendment can be found in original claim 1 and throughout the specification. Applicants believe this objection has been overcome and respectfully request its withdrawal.

Rejection Under 35 U.S.C. § 103

1. Claim 1 is rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Sampson et al., U.S. Patent No. 6,217,884 in view of Tam (*In: Peptide Antigens: A practical Approach*

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(Ed) Wisdom G.B. IRL Press, Oxford University Press, New York, 1993, p83-90) or Huang et al. (*Mol. Immunol.* 31:1191-1199, 1994) and Harlow et al. (*In: Antibodies: A Laboratory Manual*. Cold Spring Harbor Laboratory, Chapter 5, p. 76, 1988).

Claim 1 has been canceled. This rejection is now moot. Applicants respectfully request the withdrawal of this rejection.

2. Claim 1 is rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Nuijens et al., WO 9117258 in view of Tam (*In: Peptide Antigens: A practical Approach* (Ed) Wisdom G.B. IRL Press, Oxford University Press, New York, 1993, p83-90) or Huang et al. (*Mol. Immunol.* 31:1191-1199, 1994) and Harlow et al. (*In: Antibodies: A Laboratory Manual*. Cold Spring Harbor Laboratory, Chapter 5, p. 76, 1988).

Claim 1 has been canceled. This rejection is now moot. Applicants respectfully request the withdrawal of this rejection.

Pursuant to the above remarks, reconsideration and allowance of the pending application is believed to be warranted. The Examiner is invited and encouraged to directly contact the undersigned if such contact may enhance the efficient prosecution of the application to issue.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$1,320.00 (\$980.00 the fee for a three (3) month extension of time and \$340.00 the fee for a notice of appeal), a Request for Extension of Time, and Notice of Appeal are enclosed. This amount is




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believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.


Gwendolyn D. Spratt

12-8-04
Date